

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HUMAN SERVICES**

**Call to Order:** By **CHAIRMAN ARLENE BECKER**, on January 10, 2005 at 3:00 P.M., in Room 472 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Arlene Becker, Chairman (D)  
Rep. Tom Facey, Vice Chairman (D)  
Rep. Don Roberts, Vice Chairman (R)  
Rep. Mary Caferro (D)  
Rep. Emelie Eaton (D)  
Rep. Gordon R. Hendrick (R)  
Rep. Teresa K. Henry (D)  
Rep. William J. Jones (R)  
Rep. Dave McAlpin (D)  
Rep. Tom McGillvray (R)  
Rep. Mike Milburn (R)  
Rep. Art Noonan (D)  
Rep. Ron Stoker (R)  
Rep. Pat Wagman (R)  
Rep. Bill Warden (R)  
Rep. Jonathan Windy Boy (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Susan Fox, Legislative Branch  
Mary Gay Wells, Committee Secretary

**Please Note.** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing & Date Posted: HB 32, 1/5/2005; HB 88, 1/5/2005;  
HB 215, 1/5/2005

Executive Action:

HEARING ON HB 32

Sponsor: REP. JILL COHENOUR, HD 78, East Helena

Opening Statement by Sponsor:

REP. JILL COHENOUR opened the hearing on HB 32, which would revise vital statistics statutes. It would also remove the requirements to retain certified hard copies of birth certificates when they can be filed electronically. Counties now have access to the data base maintained by the State. The bill also fixes language concerning birth certificates issued for a foreign person adopted in Montana.

*{Tape: 1; Side: A; Approx. Time Counter: 0 - 3.5}*

Proponents' Testimony:

Joyce Zahn, Bureau Chief, Support & Vital Records Services Bureau. This bill is basically cleaning up language so that laws are consistent.

*{Tape: 1; Side: A; Approx. Time Counter: 3.5 - 5}*

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

REP. RON STOKER inquired if there were procedures in place to make sure that these documents could not be falsified. Ms. Zahn replied that procedures are in place to retain the validity of each birth and death certificate.

*{Tape: 1; Side: A; Approx. Time Counter: 5 - 7}*

Closing by Sponsor:

The sponsor closed.

*{Tape: 1; Side: A; Approx. Time Counter: 7 - 7.5}*

HEARING ON HB 88

Sponsor: REP. MARY CAFERRO, HD 80, Helena

Opening Statement by Sponsor:

REP. CAFERRO opened the hearing on HB 88. This bill would eliminate the simplified application form for children's health

insurance programs. The goal is to actually simplify this process, but in order to do so, this application form needs to be eliminated first.

***{Tape: 1; Side: A; Approx. Time Counter: 7.5 - 9.5}***

**Proponents' Testimony:**

**Chuck Hunter, Administrator, Child and Adult Health Resources Division, DPHHS**, said that CHIP (Children's Health Insurance Program) is part of his division and that is why he was appearing on this bill. In 1999, the Universal Application (listed in the title of HB 88) had a simplified application form which was to make it easier for families. This simplification did not happen. Information can now be shared electronically. An application for one program can be shared with another program. He urged the committee's support.

***{Tape: 1; Side: A; Approx. Time Counter: 9.5 - 12}***

**Steve Yeakel, Montana Council for Maternal and Child Health** stood in support of this bill.

***{Tape: 1; Side: A; Approx. Time Counter: 12 - 13}***

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

The sponsor closed.

***{Tape: 1; Side: A; Approx. Time Counter: 13 - 14}***

**HEARING ON HB 215**

**Sponsor:** REP. MARY CAFERRO, HD 80, Helena

**Opening Statement by Sponsor:**

**REP. CAFERRO** opened the hearing on HB 215, which would revise references to Developmental Disabilities Planning and Advisory Council to the Montana Council on Developmental Disabilities.

**Proponents' Testimony:**

**Marty Tuttle, Chief Legal Counsel, Department of Commerce** spoke to the committee in support of the bill and handed in his

testimony. He explained the second portion of the bill. All statutory authority for the entity responsible for the developmental disabilities in the State of Montana would be located under two statutes which are under the Department of Commerce's organic statutes in Title II.

**EXHIBIT(huh06a010.PDF)**

***{Tape: 1; Side: A; Approx. Time Counter: 14 - 17.8}***

**Deborah Swingley, Executive Director, Montana Council on Developmental Disabilities(MCDD)** explained the direction and purpose of MCDD. In 2003, the Council took the form of a nonprofit corporation. Through legislation in 2003, state statutes allowed the state to contract with a nonprofit corporation to perform the duties of the Council.

**Joe Mathews, Administrator, Disabilities Services Division, DPHHS,** stated that his Division was in support of the bill.

***{Tape: 1; Side: A; Approx. Time Counter: 17.8 - 22.3}***

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

**REP. ART NOONAN** questioned the articles in Section 5 and wanted to know if these were changes. **Susan Fox, Legislative Staffer,** said that as a nonprofit, some of these things could change, but the language is the standard language of the statute. Much of the language used to be in Title 53, Chapter 20 which is where the developmental disabilities statutes are that are under DPHHS. Because Developmental Disabilities Planning and Advisory Council (DDPAC), which is now the Council, was moved to the Department of Commerce, it is no longer relevant to have those statues in the "wrong house."

***{Tape: 1; Side: A; Approx. Time Counter: 22.3 - 24.7}***

**Closing by Sponsor:**

The Sponsor closed.

**ADJOURNMENT**

Adjournment: 3:30 P.M.

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REP. ARLENE BECKER, Chairman

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MARY GAY WELLS, Secretary

AB/MW

Additional Exhibits:

**EXHIBIT ([huh06aad0.PDF](#))**